

AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 6, 2008

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: WVR-28569 - APPLICANT/OWNER: CITY OF LAS VEGAS

**** CONDITIONS ****

The Planning Commission (5-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for General Plan Amendment (GPA-28312) Rezoning (ZON-28311) and Waiver (WVR-28569) shall be required.

Public Works

2. The circular termination as depicted on the revised Site Plan dated "Received JUN 11 2008" is hereby approved.
3. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of any construction plans, the issuance of any permits or the recordation of a map for this site. The termination of the public street shall meet the approval of the Department of Fire Services.
4. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-28311, Site Development Plan Review SDR-28313 and all other applicable site-related actions.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Waiver of Title 18.12.130 to allow Nettie Avenue, an existing public street, to terminate with a nonstandard cul-de-sac to terminate in a dead end street 120-feet west of the intersection of Nettie Avenue and Marco Street. There is also an associated request for a Site Development Plan Review (SDR-28313) for a proposed public park on a 3.98 acre parcel located on an undeveloped property adjacent to the Las Vegas Wash, south of Harris Avenue west of Nettie Avenue. The proposed park site is adjacent to a public middle school and the Las Vegas Wash which will also be the future site of the Las Vegas Wash regional trail. As this requested deviation will not have a negative impact to vehicular travel in this area, nor to emergency vehicles, staff recommends approval of this application.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
12/18/02	The City Council approved a Rezoning (Z-0041-02) to R-PD2 (Residential Planned Development – 2 Units Per Acre) and a Site Development Plan Review [Z-0041-02(1)] for a proposed 9-lot single-family development on this site. The Planning Commission recommended approval and staff recommended denial of these requests.
08/09/02	A request was made for an amendment to a portion of the Southeast Sector Plan of the General Plan from R (Rural) to L (Low Density Residential) on 3.98 acres located south of Harris Avenue and east of the Las Vegas Wash, General Plan Amendment (GPA-0018-02). The Planning Commission accepted a withdrawal without prejudice of the application.
11/21/02	A Request for a Variance (VAR-1031) to allow zero square feet of open space was stricken from the agenda.
02/02/05	The City Council approved a request for an Extension of Time (EOT-5844) of an approved Site Development Plan Review [Z-0041-02(1)] for a proposed 9-lot single-family development the subject site. Staff recommended approval.
07/10/08	<p>The Planning Commission recommended approval of companion items GPA-28312, ZON-28311 and SDR-28313 concurrently with this application.</p> <p>The Planning Commission voted 5-0 to recommend APPROVAL (PC Agenda Item #19/leh).</p>
<i>Related Building Permits/Business Licenses</i>	
The subject site has not been assigned an address and therefore has no relevant building permit or business license history.	
<i>Pre-Application Meeting</i>	
05/14/08	The requirements for a General Plan Amendment, Rezoning and Site Development Review were conveyed to the applicant's representative.

<i>Neighborhood Meeting</i>	
06/09/08	The meeting was held at 5:30 pm at Rafael Rivera Community Center located at 2900 Stewart Ave. The neighborhood meeting was conducted by staff members of the City of Las Vegas Public Works and Planning & Development Departments. The meeting was attended by three area residents. The residents expressed support of a park at this location, however they expressed concerns about security of the park, and possible issues with homeless individuals. The residents also expressed a desire to see more equestrian access to the park, and discussed how the property is currently utilized by horse owners in the area. A desire to preserve a rural feel to the area was expressed as well.
<i>Field Check</i>	
05/03/08	Staff found the site to be undeveloped and was secured by a temporary chain link fence. There are several salt cedar bushes on the site along with a small amount of trash and debris.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	3.98

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	R (Rural Density Residential)/Proposed: PF (Public Facility)	R-PD2 (Residential Planned Development 2-Units Per Acre)/ Proposed C-V (Civic)
North	Dell H. Robinson Junior High School	PF (Public Facilities)	C-V (Civic)
South	Flood Control Facility, and a Planned Regional Trail	PF (Public Facilities)	C-V (Civic)
East	Single-Family Homes	R (Rural Density Residential)	R-E (Residence Estates)
West	Flood Control Facility, and a Planned Regional Trail	PF (Public Facilities)	C-V (Civic)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	N/A

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts		X	N/A
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

<i>Waivers</i>		
<i>Request</i>	<i>Requirement</i>	<i>Staff Recommendation</i>
To allow an existing street to terminate without the required cul-de-sac.	A cul-de-sac of sufficient radius for emergency vehicle and other large vehicle access.	Approval

Title 18.12.130 Cul-de-sacs

Cul-de-sacs shall be designed and installed in accordance with City standards. For public streets which terminate other than at an intersection with another public street, the termination shall be provided by means of a circular cul-de-sac of a sufficient diameter to accommodate emergency service vehicles for termination. For private streets or drives which terminate at a length over one hundred fifty feet, there shall be either a circular turn-around or emergency service vehicle access gates.

Public works has no objection to the Request for a Waiver of Title 18.12.130 to allow an existing public street to terminate with a nonstandard cul-de-sac.

FINDINGS

The applicant has presented evidence of a unique circumstance, in that the street will not be terminated fully, rather it will be an entry point a public park, secured with a gate, which would allow emergency vehicles to travel through the site to Harris Avenue. Public works has no objection to the Request for a Waiver of Title 18.12.130 to allow an existing private street to terminate without a circular cul-de-sac or emergency access gate. Staff finds there are no anticipated negative impacts to vehicular travel in this area, nor to emergency response vehicles, therefore staff recommends approval.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 2

ASSEMBLY DISTRICT 14

SENATE DISTRICT 10

NOTICES MAILED 421 by Planning Department

APPROVALS 6

PROTESTS 2